

Ordinance No. 10-12-062

AN ORDINANCE TO AMEND TITLE 5 OF THE CITY OF LOCUST GROVE CODE OF ORDINANCES WHICH PROVIDES FOR BODY ART STUDIOS, ARTISTS, AND OPERATORS; TO AMEND CHAPTER 5.82 ENTITLED “BODY ART STUDIOS, ARTISTS, AND OPERATORS”; TO PROVIDE FOR REVISED REGULATIONS FOR BODY ART STUDIOS, ARTISTS, AND OPERATORS; TO REGULATE STUDIOS WITHIN AN OPERATING BEAUTY SALON, BARBER SHOP, OR NAIL SALON; TO ESTABLISH LOCATION RESTRICTIONS FOR BODY ART STUDIOS; TO PROVIDE FOR HENRY COUNTY HEALTH DEPARTMENT REGULATION OF BODY ART STUDIOS AND ARTISTS; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS

Section I. Title 5 of the Code of Ordinances of the City of Locust Grove, Georgia, is hereby amended by repealing Chapter 5.82 in its entirety and substituting in lieu thereof Chapter 5.82 entitled “Body Art Studios, Artists, and Operators”.

Section II. Chapter 5.82 of the Code of Ordinances of the City of Locust Grove, Georgia, is hereby amended by inserting Section 5.82.010 through 5.82.270 as follows:

Sections:

5.82.010 - Purpose.

5.82.020 - Exemptions.

5.82.030 - Definitions.

5.82.040 – Scope of Regulations.

5.82.050 - Body art studio owner.

5.82.060 – Types of body art licenses.

5.82.070 - Body art studio license required.

5.82.080 - Application for body art studio license.

5.82.090 - Application for renewal.

5.82.100 - Issuance of body art studio permits and fees.

5.82.110 - Denial, suspension, or revocation of the body art studio license.

5.82.120 – Body art studio, where permitted.

5.82.130 - Application to existing businesses.

5.82.140 - Body art not allowed in mobile, transitory facilities.

5.82.150 - Body art studio facility requirements; minimum floor plan; front window visibility; hours of operation.

5.82.160 - Body art studio inspection.

- 5.82.170 - Body artist license.
- 5.82.180 - Application for a body artist license.
- 5.82.190 - Issuance of body artist permit and fees.
- 5.82.200 - Application to existing body artist.
- 5.82.210 - Denial, suspension, or revocation of body artist license.
- 5.82.220 - Prohibited acts.
- 5.82.230 - Violations.
- 5.82.240 - Sanitation.
- 5.82.250 - Procedures specific to body-piercing.
- 5.82.260 - Compliance.
- 5.82.270 - Enforcement and penalties.

5.82.010 - Purpose.

The body art studios and body artist regulations are adopted for the purpose of establishing reasonable standards for individuals performing body art procedures and the facilities from which the procedures are provided. Such standards are designed to promote the health and safety of all individuals performing and receiving body art services within the city limits of Locust Grove.

5.82.020 - Exemptions.

These rules shall not apply to a physician or osteopath licensed under O.C.G.A. Ch. 43-34, or a technician acting under the direct on-site supervision of such licensed physician or osteopath.

5.82.030 - Definitions.

As used in this Chapter. Any word or phrase not defined below but otherwise defined in these rules shall be given that meaning. All other words or phrases shall be given their common, ordinary meaning unless, the context clearly requires otherwise.

- A. "Body art" means the practice of physical body alteration by permitted establishments and by licensed operators using, but not limited to, the following techniques: body piercing, tattooing, and cosmetic tattooing. Body art does not include practices that are considered medical procedures by the Georgia State Medical Board, which shall not be performed in a body art studio. Body art does not include the painting of the skin with tempera or temporary, nonindelible inks, paints, or dyes. Body art does not include piercing of the outer perimeter or lobe of the ear with presterilized, single-use stud and clasp ear piercing systems.
- B. "Body art studio" means any permanent building or structure in a properly-zoned commercial or industrial property constructed on a permanent foundation, holding a valid city business permit or license (be it a Limited License or Unlimited License), wherein a body artist performs body art.
- C. "Body art studio permit" means the authorization granted by the board of health to the owner to operate a body art studio as stated in Chapter 3-12, Sections 3-12-91 through 3-12-129 of the Code of Ordinances of Henry County, Georgia. Such permit is the property of the Henry County Board of Health and is a requirement for obtaining a license with the City of Locust Grove.

- D. "Body artist" means any person who performs body art.
- E. "Body artist license" means the license granted by the City to perform body art within the city limits of Locust Grove within either a Limited or Unlimited Licensed body art studio.
- F. "Body artist permit" means the authorization granted by the board of health to the person practicing body art as stated in Chapter 3-12, Sections 3-12-91 through 3-12-129 of the Code of Ordinances of Henry County, Georgia. Such permit is the property of the Henry County Board of Health.
- G. "Body piercing" means puncturing or penetration of the skin or mucosa of a person with any sharp instrument and/or the insertion of jewelry or other adornment thereto in the opening.
- H. "Cosmetic tattooing" means to mark or color the skin by pricking in, piercing, or implanting indelible pigments or dyes under the skin or mucosa. Cosmetic tattooing shall include permanent cosmetics, micro-pigmentation, permanent color technology, and micro-pigment implantation.
- I. "Board of health" means the Henry County Board of Health or its duly authorized representatives.
- J. "Currently licensed health care professional" means those professionals licensed by the State of Georgia to perform health care services and includes, but is not limited to, licensed physicians, registered nurses (RN), licensed practical nurses (LPN), and licensed emergency medical technicians.
- K. "Department" means the Department of Human Resources of the State of Georgia.
- L. "Limited License" means a license issued by the City to a body art studio with no more than two (2) parlor areas where such business is collocated within a business of either a hair salon, barber shop, and/or nail salon and where such revenues from body art is no greater than fifty percent of the overall revenues of the combination all operating businesses and where said businesses are not physically separated by any wall, entrance, or other type of barrier giving the appearance of two separate businesses.
- M. "Owner" means the person, partnership, corporation, association, or any other form of business organization that owns, maintains, or controls a body art studio and who is responsible for the operation of the studio.
- N. "Parlor" means the actual room of the body art studio where the body artist performs procedures.
- O. "Sanitary" means free of visible debris, residue, or contamination, and with reduced microbial contaminants.
- P. "Tattoo" means to mark or color the skin by pricking in, piercing, or implanting indelible pigments or dyes under the skin or mucosa and includes the definition of tattoo as defined in O.C.G.A. § 31-40-1(1) and as may hereafter be amended. The term "tattoo" also includes all forms of cosmetic tattooing.
- Q. "Unlimited License" means a license issued by the city to a body art studio whose revenues exceed fifty percent of any combination of businesses, or who has more than two (2) parlors for the operation by body artist, or whose sole business may be physically separated from any other business for the purpose of body art.

5.82.040 - Scope of regulations.

- A. All licenses issued under this article shall constitute a mere privilege to conduct the business so authorized during the term of the permit only and subject to all terms and conditions imposed by the board of health, the department, and state law.
- B. The requirements of these rules shall be in addition to all other licensing, taxing, regulatory provisions of local, state, or federal law and shall not authorize violations of said other applicable laws.

5.82.050 - Body art studio owner.

- A. The owner shall be responsible for compliance with the requirements in O.C.G.A. Ch. 31-40, with any applicable administrative rules and regulations of the department, and with the applicable rules of the Henry County Board of Health, including, but not limited to, all applicable statutes and rules and regulations regarding disclosure of ownership.
- B. Prior to application to the City for a body art studio license, the body art studio owner shall adopt and submit to the Henry County Health Department a written statement of policies and procedures of the body art studio showing compliance with the following:
 - 1. No person under the age of eighteen (18) shall perform body art procedures on individuals unless under the direct on-site supervision of a physician or osteopath licensed under O.C.G.A. Ch. 43-34.
 - 2. Body artist shall not be under the influence of alcohol and/or drugs while performing body art procedures.
 - 3. No person shall perform body art procedures on an individual who is or reasonably appears to be under the influence of alcohol, drugs, or other stimulants or depressants, or is of unsound mind or body.
 - 4. No animals of any kind shall be allowed in a body art studio.
 - 5. No tattoo procedure shall be performed on a person under the age of eighteen (18) except by a physician or osteopath licensed under O.C.G.A. Ch. 43-34, or a technician acting under the direct supervision of such physician or osteopath with the written consent of a parent or guardian.
 - 6. No body-piercing procedure shall be performed on a person under the age of eighteen (18) without written consent and proof of valid state-issued identification of a parent or guardian. A copy of the consent form and proof of identification shall be maintained in the client's record. The parent or guardian must be present when the piercing procedure is performed.
 - 7. No tattoo procedure shall be performed on any person within one (1) inch of any part of the eye socket of such person.

5.82.060 – Type of body art licenses.

- A. Limited Licenses may be issued by the City to those body art studios meeting the requirements of this Chapter that are part of another operating business consisting of a hair salon, nail salon, or barber shop where such business is limited in scope to no more than two (2) body artists and/or parlors and where revenues from the body art business is less than or equal to fifty percent (50%)

of the total revenues of the body art studio and respective hair salon, nail salon, or barber shop. Typical activities in a limited licensee would include, but not limited to, cosmetic tattooing and minor tattooing or body piercings.

- B. Unlimited Licenses may be issued by the City to those body art studios meeting the requirements of this Chapter that are typically stand-alone businesses that employ more than two (2) body artists and/or have more than two (2) parlors for tattooing, body piercing, and other similar activities as permitted herein.

5.82.070 - Body art studio license required.

- C. The owner of each body art studio shall obtain a valid body art studio license from the City prior to beginning operation. Body art studios shall renew their permit annually in accordance with Section 5.82.090 through 5.82.090 herein.
- D. To be eligible for a new body art studio permit or a renewal permit, a body art studio must be in compliance with all of the requirements of this Chapter.
- E. It shall be unlawful for any person to practice body art procedures unless such procedures are performed in a body art studio operating under a valid body art studio permit issued by the Henry County Board of Health and a valid body art studio license issued by the City.
- F. The holder of a body art studio license shall only hire, employ, or use individuals to perform body art who have complied with the applicable requirements of this Chapter.
- G. The body art studio license shall be displayed on the premises and conspicuously displayed in public view. Licenses shall not be defaced or altered in any manner. A body art studio shall not post a reproduction of a license unless the City has marked it "Duplicate."
- H. All body art studio license issued pursuant to these rules are nontransferable.
- I. The body art studio license shall be returned to the City upon suspension or revocation by the City or upon suspension or revocation of a body art studio permit issued by the Henry County Board of Health Environmental Health Section within seven (7) days of the date of suspension or revocation.

5.82.080 - Application for body art studio license.

- A. The application for a body art studio license or for the renewal of a body art studio license shall be made on forms provided by the City at least thirty (30) days prior to the anticipated date of opening.
- B. Any application for a new body art studio license or for the renewal of a body art studio permit shall be sworn to by the applicant as true and correct.
- C. The application for a body art studio shall include:
 - 1. All existing body art studios shall provide a drawing of the studio, including the location of all furnishings and equipment;
 - 2. All new body art studios shall provide a scaled drawing of the studio, including the location of all furnishings and equipment;

3. A zoning certification obtained from the community development director. The applicant shall comply with all applicable zoning, building, safety, fire, and other local codes and requirements;
 4. A copy of the certificate of occupancy for the studio;
 5. A complete description of all body art services which will be provided in the body art studio;
 6. The full or legal name under which the body art studio is conducted;
 7. The address of the body art studio;
 8. The license type (Limited License or Unlimited License) being applied for by the owner of the body art studio.
 9. If the owner leases the location, the name and current address of the landlord;
 10. The name and home address of the owner; if the owner of the body art studio is a partnership, the names and addresses of all partners; if the owner is a corporation, the date and place of incorporation and the name and address of its registered agent in the state; or if the owner is any other type of association, the names of the principals of the association;
 11. Two (2) photographs showing a front and side picture of the full face of the applicant, size two and one-half inches (2 ½") by two and three-quarters inches (2 ¾").
 12. A list containing the full names and home addresses of all employees and staff who will be working in the body art studio;
 13. A copy of the body art studio permit application presented to the Henry County Board of Health;
 14. A copy of the body art studio permit as issued by the Henry County Board of Health.
 15. An acknowledgement signed by the owner acknowledging that the owner has read and understands these rules; and
 16. Such other information as may be deemed necessary by the City.
- D. The applicant shall submit a nonrefundable application fee as set by the City Council. The application fee shall be waived for any body art studio that is legally permitted by the City for operation prior to the adoption of these rules.

5.82.090 - Application for renewal.

- A. At least thirty (30) days prior to the expiration of a body art studio license, the owner shall submit an application to the City for a renewal of the body art studio license.
- B. The application shall include an updated drawing of the body art studio according to Henry County Board of Health regulations for renewal.
- C. The application shall also include all information as described in subsection 5.82.070 (C)(5)-(16).
- D. For an existing limited license, the application shall also include the revenue of the body art studio portion and the overall revenues of the combined businesses (body art studio and the respective hair salon, nail salon, or barber shop).

5.82.100 Issuance of body art studio permits and fees.

- A. The City may issue a body art studio license to an owner after determining that the studio is in compliance with the applicable rules and regulations of this Chapter and with all requirements prescribed by the Henry County Board of Health.
- B. A body art studio shall submit an application for a new body art studio license when any of the following conditions exist:
 - 1. The studio is remodeled, renovated, or expanded;
 - 2. There is a change in the legal ownership of the body art studio; or
 - 3. An existing facility is moved or relocated.
- C. Body art studio permits shall automatically expire on December 31 of each year.
- D. Prior to the issuance of a body art studio permit, the owner must pay the applicable permit fee. Body art studio permit fees shall not be prorated.
- E. No permit shall be issued to any owner to perform body art procedures in any area of Henry County that is zoned for any type of residential use by Henry County's zoning ordinances.

5.82.110 - Denial, suspension, or revocation of the body art studio license.

- A. Upon recommendation or official action of the administration department and/or the City Council, a body art studio license issued pursuant to any provision of this article may be denied, suspended, or revoked by the City, and considered null and void, if:
 - 1. The application for a body art studio license contains false or misleading information, or if the applicant omitted material facts in the application;
 - 2. The premises covered by the permit are found to be in violation of any applicable provision of this chapter, Henry County Board of Health, or other state or federal law;
 - 3. The studio is determined to be a threat or nuisance to public health, safety, or welfare;
 - 4. The owner or body artist violated the provision of this Chapter; or
 - 5. Violations of the conditions of the permit are committed.
- B. After a body art studio license has been revoked, a valid license shall not be issued until all violations have ceased and all changes, alteration, additions, or improvements comply with all requirements of this Code as determined by the Henry County Board of Health and the City Council.
- C. No body art studio license shall be issued pursuant to any provision of this article to any applicant if within twelve (12) months immediately preceding the filing of any application under this article, the same applicant requesting a license has been denied a permit based in whole or in part upon having furnished fraudulent or untruthful information in any application or having omitted any material fact in any application.
- D. Any person materially affected by this decision may be appealed to the City Council by filing with the City Clerk and written notice requesting appeal within forty-five (45) days of the revocation of the license.

5.82.120 – Body art studio, where permitted.

- A. Limited License body art studios are permitted within the general commercial (C-2 or its equivalent) and/or the heavy commercial (C-3 or its equivalent) zoning districts within the city.
- B. Unlimited License body art studios are permitted only within the light manufacturing (M-1 or its equivalent) zoning district within the city.
- C. No body art studios are permitted within any area of the city designated for Central Business District, Mixed Use Neighborhood, or Mixed Historic Neighborhood by the current Henry County/Cities Joint Comprehensive Plan regardless of current underlying zoning district.

5.82.130 - Application to existing businesses.

The provisions of these rules shall be applicable to all body art studios whether the studios were established before or after the effective date of these rules. Any body art studio in business on the effective date of these rules shall comply with all requirements of these rules within six (6) months of the effective date.

5.82.140 - Body art not allowed in mobile, transitory facilities.

Body art shall not be allowed to occur in automobiles, mobile, transitory, or other non-fixed facilities. Such non-fixed facilities include mobile homes, tents, recreational vehicles, and trailers.

5.82.150 - Body art studio facility requirements; minimum floor plan; front window visibility; hours of operation.

- A. The body art studio shall be constructed, arranged, and maintained so as to provide adequately for the health and safety of its customers and staff.
- B. The body art studio floor plan shall be approved by the Henry County Board of Health.
- C. Front windows of a body art establishment may not be more than thirty percent (30%) opaque in tinting or reflectivity and shall be kept clear of signage, stickers and clutter to obscure visibility into the premises beyond what is allowed by the city's regulation on signage.
- D. The body art studio shall operate between the hours of 7:00 AM to 11:00 PM on Sunday through Thursday and between the hours of 7:00 AM to 11:59 PM on Friday and Saturday.

5.82.160 - Body art studio inspection.

- A. The premises of any body art studio shall be available for review and examination by the board of health and properly identified representatives of the City at any time during normal business hours for the purpose of making inspections to determine compliance with rules of the board of health and with the regulations of this Chapter.
- B. (e) If an individual becomes aware of a licensed body art studio that is in violation of this Chapter, or other state or federal law, they may contact the City and/or the Henry County Board of Health. The name, address, telephone number, and all other identifying information of the reporting individual will remain confidential, unless required to be disclosed by law.
- C. (f) If an individual becomes aware of an unlicensed individual or facility that performs, or has performed body art procedures, they may contact the City and/or the board of health. The name,

address, telephone number, and all other identifying information of the reporting individual will remain confidential, unless required to be disclosed by law.

5.82.170 - Body artist license.

- A. No person may perform body art without first obtaining a body artist license. Body artists shall renew their permit annually.
- B. A body artist permit shall not be eligible for renewal unless all requirements of these rules are met.
- C. The body artist's license shall be displayed in the body artist's parlor.
- D. All body artist licenses issued pursuant to these rules are nontransferable.
- E. A body artist permit shall be returned to the City if it is suspended or revoked.
- F. Proof of current permit by the Board of Health shall be permanently displayed with the artist's license by the City.

5.82.180 - Application for a body artist license.

- A. Each body artist shall submit to the City section an application for a body artist license.
- B. The application for a body artist license shall be made on forms provided by the City and shall not be considered accepted unless complete in all respects, including the payment of any fees required. Application fees shall be set by the City Council.
- C. Application for a body artist license shall include the following information concerning the body artist:
 - 1. Full legal name;
 - 2. All aliases;
 - 3. Copy of a valid driver's license or valid state-issued photo identification;
 - 4. Home address;
 - 5. Gender;
 - 6. Mailing address;
 - 7. Home phone number;
 - 8. Training and/or experience;
 - 9. Evidence of current certifications;
 - 10. Copy of body artist permit by the Henry County Board of Health; and
 - 11. Physician report of physical examination and Hepatitis B vaccination.

5.82.190 - Issuance of body artist permit and fees.

- A. The City may issue a body art studio license to an owner after determining that the studio is in compliance with the applicable rules and regulations of this Chapter and with all requirements prescribed by the Henry County Board of Health.
- B. Body artist licenses shall automatically expire on December 31 of each year.

- C. Prior to the issuance of a body artist license, the body artist must pay the applicable permit fee. Body artist license fees shall not be prorated.
- D. At least thirty (30) days prior to the expiration of a body artist license, the body artist shall submit an application for the renewal to the City.

5.82.200 - Application to existing body artist.

The provisions of this Chapter shall be applicable to all body artists, whether the body artist began performing body art before or after the effective date of these rules. Any body artist established on the effective date of these rules shall comply with all requirements of these rules within six (6) months of the effective date.

5.82.210 - Denial, suspension, or revocation of body artist license.

- A. Upon recommendation or official action of the board of health, a body artist permit issued pursuant to any provision of this article may be denied, suspended, or revoked by the board of health, and considered null and void, if:
 - 1. The application for a body artist permit contains false or misleading information, or if the applicant omitted material facts in the application;
 - 2. The body artist violated the conditions of the permit; or
 - 3. The body artist committed any violation of this article.
- B. After a body artist license has been revoked, a valid license shall not be issued until all violations have ceased and the body artist complies with all requirements of this article as determined by City and the board of health.
- C. No body artist license shall be issued pursuant to any provision of this article to any applicant if within twelve (12) months immediately preceding the filing of any application under this Chapter, the same applicant requesting a license has been denied based in whole or in part upon having furnished fraudulent or untruthful information in any application or having omitted any material fact in any application.
- D. Any person materially affected by this decision may be appealed to the City Council by filing with the City Clerk and written notice requesting appeal within forty-five (45) days of the revocation of the license.

5.82.220 - Prohibited acts.

- A. No person shall tattoo the body of an individual who is under eighteen (18) years of age, unless the person performing the tattoo procedure is a physician or osteopath licensed under O.C.G.A. Ch. 43-34, or a technician acting under the direct supervision of such licensed physician or osteopath in compliance with O.C.G.A. Ch. 31-9.
- B. No person shall pierce the body, with the exception of ear lobes, of any person under the age of eighteen (18) for the purpose of allowing the insertion of earrings, jewelry, or similar objects into the body, unless the minor's legal parent, custodian, or guardian with proper identification is present and signs a written consent form provided by the body art studio. The consent form must indicate the methods and part(s) of the minor's body upon which the body art procedure is performed.

- C. No person shall tattoo the body of any person within one (1) inch of the nearest part of the eye socket of such person.
- D. No person shall perform body art procedures on an individual who is, or reasonably appears to be under the influence of alcohol, drugs, or other stimulants or depressants, or is of unsound mind or body.
- E. No person shall obtain the services provided in a body art studio by misrepresentation of age in any place where body art procedures are performed.
- F. It shall be unlawful for any body artist to perform any acts of scarification and or acts of suspension in the body art studio.

5.82.230 - Violations.

- A. It shall be unlawful for any person, firm, or entity to violate any of the provisions of this article or any other applicable provisions of this Chapter.
- B. No person shall be allowed to perform body art procedures unless that person is employed by a body art studio and holds a current body artist license. No person shall be allowed to perform body art procedures outside the confines of a legally licensed body art studio.
- C. It shall be unlawful for body artist to be under the influence of any alcohol and/or drugs while performing body art procedures.
- D. Except as specified in (1) of this subsection, no animals of any kind shall be allowed inside a body art studio.
 - 1. Live animals may be allowed in the following situations if the contamination of clean equipment, parlors, single-use articles, or any other items that may be used in a body art procedure cannot result:
 - 2. Decorative fish in aquariums;
 - 3. Patrol dogs accompanying police or security officers;
 - 4. In areas that are not used for any equipment storage or equipment cleaning and preparing areas;
 - 5. Service animals that are controlled by the disabled employee, person, or trainer of such animal, if a health or safety hazard will not result from the presence or activities of the service animal.
- E. An owner of a body art studio shall be deemed responsible for any act, omission, or violation of this article committed by any body artist in said studio, working upon studio premises, or performing body art procedures for the owner as an independent contractor.

5.82.240 - Sanitation.

Body artists and Body art studios shall maintain proper sanitation as regulated by the Henry County Board of Health

5.82.250 - Procedures specific to body-piercing.

- A. Before piercing the skin of a client, any jewelry worn by the client that might impede the procedure shall be removed.
- B. The client shall then be given both written and oral instructions on how to care for the piercing during the healing process.
- C. A facility that limits its piercing practice to the piercing of the lobe of the ear with pre-sterilized, single-use stud and clasp piercing systems shall be exempt from regulatory requirements of this article. Compliance with the requirements for this exemption may be verified by inspection at the option of the board of health.

5.82.260 - Compliance.

- A. A body art studio shall operate in compliance with these rules and with a valid body art studio permit issued by the Henry County Board of Health.
- B. A body artist shall perform body art procedures in compliance with these rules and with a valid body artist permit issued by the Henry County Board of Health.

5.82.270 - Enforcement and penalties.

- A. Enforcement of the rules and regulations shall be in accordance with this Chapter.
- B. The board of health may refuse to grant a license for the operation of any body art studio which does not fulfill the minimum requirements of this Chapter and may revoke a license which has been issued and invoke other sanctions if a studio violates any of these rules and regulations. Before any order is entered refusing a permit applied for or revoking a permit, the applicant or permit holder shall be offered an opportunity for a hearing before the city council. The notice of refusal or revocation shall contain directions on how a hearing may be requested.
- C. Any person or entity violating any provision of this regulation shall, upon conviction thereof, or upon entering a plea of guilty or nolo contendere thereto, shall be punished by a fine, not exceeding one thousand dollars (\$1,000) or by imprisonment for a term not more than sixty (60) days, or by both fine and imprisonment.
- D. Owners shall be responsible for ensuring agents and employees fully comply with the provisions of these regulations and shall be liable for any violation hereof.

Section III. This ordinance shall be codified in a manner consistent with the laws of the State of Georgia.

Section IV.

- A. It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.
- B. It is hereby declared to be the intention of the City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other Section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the City Council


that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other Section paragraph, sentence, clause or phrase of this Ordinance.

- C. In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all remaining Sections, paragraphs, sentences, clauses, or phrases of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section V. **Repeal of Conflicting Provisions.** Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section VI. **Effective Date.** This ordinance shall become effective immediately upon/of its adoption by the Mayor and Council of the City of Locust Grove.

SO ORDAINED this 6th day of December, 2010.


LORENE LINDSEY, MAYOR

ATTEST:


THERESA BREEDLOVE, City Clerk
(Seal)